REMARKS

I. SUMMARY OF OFFICE ACTION

Claims 8-14, 26-30 and 33-39 are pending in the application.

The examiner objected to the specification because disclosure of the link "www.msn.com" was written without a bracket.

Examiner rejected claims 33-39 under 35 USC § 101as being nonstatutory.

The Examiner rejected claim 9 under 35 USC § 112 for lacking sufficient antecedent basis.

The Examiner rejected claims 8, 12-14, 26-27, 29-30 and 33-39 under 35 USC § 102 (e) as being anticipated by Hendrickson at al., (US Patent Number 6,625,622, "Hendrickson").

The Examiner rejected claims 9-11 and 28 under 35 USC § 103(a) as being unpatentable over Hendrickson in view of Wang et al. (US Patent Number 6, 742, 028, "Wang").

The specification has been amended

Claims 8-14, 26-30 and 33-39 have been amended.

Claims 8-14, 26-30 and 33-39 remain in the application.

II. OBJECTION TO SPECIFICATION

The specification has been amended to clarify that the reference to the web site "www.msn.com" was not intended to incorporate the contents all the web site by reference, but rather to provide an example of a web site. It should be noted that the applicant did not intend to have the reference to the URL be an active link (see MPEP 608.01, page 600-71, examiner's note 4). The applicant has demanded the application to remove the active link, but maintain the reference to the URL.

III. CLAIM REJECTION – 35 USC §102 (e)

A. Claim 8

The Examiner rejected claim 8 as being anticipated by Hendrickson. Hendrickson discloses "a method and apparatus for relocating application programs, settings, menus, files and documents from *a* source computer to *a* target computer." (emphasis added, Hendrickson, Abstract). In the Summary of the Invention, the objects of the invention are characterized as "to provide an efficient procedure for permitting a user to relocate all application programs, settings, menus, files and documents from a source machine to a target machine." (Hendrickson, lines 60-65). Thus, Hendrickson is concerned with the transfer of all the files of one computer to another computer. Hendrickson does not teach a method of converting a web site from client based storage of information to central storage of information. Indeed, the words "web site" do not appear anywhere in the Hendrickson patent. Hendrickson does not teach the act of selecting a subset of a plurality of users of the web site based on an identifier associated with each user. Rather, Hendrickson is concerned with a single user transferring all of his or her files from one computer to another computer.

Claim 8 has been amended to clarify that the method relates to converting a web site accessed by a plurality of users from client computing device based storage of user specific information to central storage of user specific information. Unlike Hendrickson, which discloses the transfer of information from a single user computing device to another single user computer device (one to one), amended claim 8 clarifies that certain information is transferred from a subset of the plurality of user's client computer devices to a single central storage device (many to one).

Nothing in the Hendrickson disclosure includes the act of providing a web page to the computing device of each of the selected users based on the user specific information stored in the central storage location. The Examiner suggested that the act of providing a web page to each of the select a group of users is illustrated in Hendrickson, figure 7 A, element 720 which refers to be boarding the target machine. Hendrickson describes Figure 7 A as follows:

> "FIG. 7a shows steps in the presently preferred implementation of a process for reviewing the relocation plan carried out in the relocation process of FIG. 6. After all of the entries have been processed, the relocation program analyzes the transfer log (step 700) and creates a relocation process report (step 710). The relocation process report includes information about any problems that occurred during the relocation process along with instructions for the user to resolve those problems. Problems may include communications errors, target disk write errors and situations where the item to be transferred was busy on the source. If no significant problems arose, the report need not be displayed to the user. The next step in the relocation process is to reboot the target machine (step 720). The reboot permits the data corresponding to entries that could not be replaced or merged during the relocation process to be transferred from the staging area into their final storage locations. A second relocation process report is then created (step 730)."
> (Hendrickson, column 12, lines 9-27).

Nothing in the foregoing description suggests providing web pages to a plurality of users based on users specific data stored in a central storage location. Is respectfully submitted that claim 8, is not anticipated by Hendrickson.

B. Claim 12

The Examiner rejected claim 12 as being anticipated by Hendrickson, suggesting that the Hendrickson discloses the act of setting an indication for each user for whom data has been copied to the central storage location. However, there is no reference in the Hendrickson disclosure to multiple users. Because Hendrickson is concerned with a one to one transfer of programs and files, there is no explicit reference to a user selection step. The reason there is no explicit references that there is no need to perform a user selection step

because there is only one user. Applicant's claim 12 contemplates a plurality of users, as stipulated in claim 8 and requires the setting of an indication for each user for whom the user specific information has been copied to the central storage location. Is respectfully submitted that claim 12 is not anticipated by Hendrickson.

C. Claim 13

The Examiner also suggested that Figure 6, element 660 of Hendrickson discloses the act of maintaining a mirror copy of a user's centrally stored data at the user's client computing device. Claim 13 has been amended to clarify a mirror copy of a user's centrally stored user specific information is maintained for each of the selected users. As stated above applicant's method operates in an environment where a web site accessed by a plurality of users is converted from a client computing device based storage of user specific information to a central storage of user specific information for a subset of the users. Hendrickson, on the other hand, primarily deals with the transfer of substantially the entire "soft content" (i.e. applications, files, data etc.) of a user's computer to a replacement computer. Is respectfully submitted that claim 13 is not anticipated by Hendrickson.

D. Claim 14

The Examiner rejected claim 14 as anticipated by Hendrickson's undo option that restores replaced and merged items (Hendrickson, Figure 8, elements 810 to 830). Hendrickson describes the undo step as follows:

> "The first step in undoing the relocation process is to restart the target computer and the relocation program (step 800). The user then selects the undo function from the relocation program (step 810). Using the undo log as the plan for the undo function, the relocation program deletes each item created on the target computer, and restores each replay and merged item by replacing that item with the corresponding backup item previously stored (step 820).

Again, Hendrickson is clearly directed to one user transferring all soft contents of one computer to a replacement computer. The undo function deletes the contents in the replacement computer, and replaces those contents to the source computer from a backup item previously stored. Applicant's method as described in claim 14 relates to where the user specific information, that will be used to provide a web page, resides. Is respectfully submitted that claim 14 is not anticipated by Hendrickson.

E. Claim 26

The Examiner rejected claim 26 as anticipated by Hendrickson. Hendrickson does not disclose a computing device that provides a web page to a plurality of second computing devices. In Hendrickson a single source computer is transferring substantially all of its soft contents to a target computer. Hendrickson does not disclose a throttle module. Applicant's description of a throttle module is one that selects certain ones of the plurality of second computing devices for storage of their respective customization information in the data store. Contrary to the Examiner's assertion, no throttle module, as that term is used in applicant's disclosure, is implicit in Figure 2 of the Hendrickson reference. As described in the specification, the throttle determines the proportion of users who are selected to use the centralized data store as the source for customization information. In Hendrickson the user selects what information from a single source computer is to be stored in an external storage device. That information is stored in the external storage device, and the user then determines what portion of the stored information will be transferred to the target machine. Because Hendrickson there is only one user, the concept of a throttle cannot be implied. It is respectfully submitted that claim 26 is not anticipated by Hendrickson.

F. Claim 27

The Examiner rejected claim 27 as anticipated by Hendrickson, asserting that Hendrickson discloses a customization module by reference to a customized report illustrated in Figure 7B. Figure 7B in Hendrickson shows the steps of generating a process report. Hendrickson describes the process report as follows:

> "After all of the entries have been processed, the relocation program analyzes the transfer log (step 700) and creates a relocation process report (step 710). The relocation process report includes information about any problems that occurred during the relocation process along with instructions for the user to resolve those problems. Problems may include communications errors, target disk write errors and situations where the item to be transferred was busy on the source." (Hendrickson, column 12, lines 14-19).

Applicant's customization module relates to providing a web page based on customization information relating to a specific user. This is described in more detail in the specification on page 11, lines 20-26. It is respectfully submitted that claim 27 is not anticipated by Hendrickson.

G. Claims 29 and 30

The Examiner rejected claims 29 and 30 based on the same arguments made for claim 26 above. The Examiner asserted that the limitations contained in those claims are implicit elements in a throttle module for selection purposes. As stated above, the throttle described in Applicant's claims is used to determine the proportion of users who are selected to use the centralized data store as the source for customization information. There is no disclosure in Hendrickson of a throttle module that selects certain ones of the plurality of second computing devices based on a value stored at a throttle value storage location. There is no disclosure in Henderson of a throttle module that selects what proportion of the plurality of second computing devices will receive a web page customized using customization information stored in a central storage. Is respectfully submitted that claims 29 and 30 are not anticipated by Hendrickson

H. Claims 33 - 39

The Examiner rejected claims 33 - 39 under the same rationale as system claims 8 – 14. Claims 33 - 39 have been amended to correlate with the amendments made in claims 8 – 14. It is respectfully submitted that claims 33 – 39 are not anticipated by Hendrickson for the same reasons that claims 8 – 14 are not anticipated by Hendrickson.

IV. CLAIM REJECTIONS – 35 USC § 103

The Examiner rejected claims 9-11 and 28 under 35 USC §103 (a) over Hendrickson in view of Wang. The examiner asserts that computing a hash of each user's associated identifier, and determining, for each user whether the hash value meets predetermined criteria, which compares the hash value to a preset value is well-known in the art of computer network as evidence by Wang (col. 10, line 43 to column 11, line 20). A hash (or hash value) is a number generated from a string of text. The hash is substantially smaller than the text itself, and is generated by a formula in such a way that it is extremely unlikely that some other text will produce the same hash value.

Wang's disclosure is directed to providing automatic content management in a network. (Wang, col. 1, lines 10-12). The objective of the Wang disclosure is to analyze "PC clients for common and unique content, making a copy of and reducing and or in eliminating the redundant storage of PC client content on a centrally accessed computer without loss." In Wang a hash value of each content element of a PC client in a network is calculated. The purpose of calculating the hash value of each content element is described as follows:

> "In a preferred embodiment, each soft element entry or record contains a hash that is calculated using a standard polynomial algorithm. The algorithm processes every byte of the element; the end result is a 32-bit number that uniquely identifies that soft element. The ADMP system maintains a master database 68, 70 that holds all content, whether unique or common. The hash that is contained in the content element record serves a

> dual purpose. Firstly, the hash uniquely identifies each content element; secondly, the hash is used an index to the master database of all contents." (Wang, col. 10, lines 43-52).

Wang does not disclose computing a hash value of each users associated identifier as recited in claim 9 of this application. In Wang the host PC client searches for and identifies and logs the server and all other PC clients on the network by address and machine name. (Wang, col. 3, lines 33-35). Nowhere in the Wang reference is there the suggestion that a hash of each user's associated identifier should be used for selecting a subset of users access a web site. Additionally, contrary to the Examiner's assertion, the concept of determining whether a hash value is less than a preset value is not a concept that is implicit in Wang. In Wang the hash value of a content element is compared to the hash values of content elements residing in a master database. That concept is very different from comparing a hash value of a user's associated identifier where a preset or predetermined value to define a subset of users who will receive a web page customized for that user by referring to user specific or customization information stored in a central storage location.

The examiner has failed to establish a *prima facie* case of obviousness. MPEP § 2142 provides:

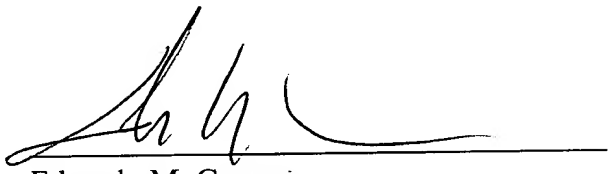
> "To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and

not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In this case, the Examiner has failed to point out any suggestion or motivation to modify or combine the teachings of the references. When analyzed fairly, the combination of references do not teach or suggest claim limitations of claims 9-11 and 28. It is respectfully submitted that claims 9-11 and 28 are not obvious over Hendrickson in view of Wang.

In view of the foregoing amendments and remarks, Applicant submits that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

Date: July 18, 2006



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